

Sec. 6. The fact that the great majority of the citizens of said County prefer to pay the road tax of Three Dollars rather than to do personal work upon the public roads of said county, which will be a great financial benefit to such county and to the public roads therein, creates an emergency and an imperative public necessity demanding the suspension of the constitutional rule requiring bills to be read on three several days in the House, and that the same is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, Feb. 19, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 313, A bill to be entitled "An Act to extend for a period of three years from March 21, 1931, Oil and Gas Permit No. 14233, covering 1258 acres of the Pecos River Bed in Reeves, Loving and Ward Counties, prescribing conditions of such extension, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendments and be printed in the Journal.

MOORE, Chairman.

Committee Amendment.

Amend S. B. No. 313 by striking out the words "of three years from March 21, 1931," in line 5 of the typewritten bill and substitute in lieu thereof the following: "ending December 31, 1931."

By Moore.

S. B. No. 313.

A BILL

To Be Entitled

An Act to extend for a period of three years from March 21, 1931, Oil & Gas Permit No. 14233, covering 1258 acres of the Pecos River Bed in Reeves, Loving and Ward Counties, prescribing conditions of such extension, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Oil & Gas Permit

No. 14233, issued by the Commissioner of the General Land Office on March 21, 1929, covering 1258 acres of the Pecos River Bed in Reeves, Loving and Ward Counties, Texas, is hereby extended for a period of three years from March 21, 1931, upon the same terms and conditions recited in said original permit, except as to this extension, and providing that the owners of said permit shall pay to the State of Texas the annual rental now required until production of oil or gas be secured; and that upon the production of oil or gas in paying quantities, the Commissioner of the General Land Office shall issue to said owners a lease which shall continue so long as commercial oil or gas production shall be secured from said area and said lease shall be conditioned only upon the payment to the State of one-eighth royalty on all oil and gas produced and saved from said area.

Sec. 2. The fact that insufficient time remains for the proper development of the area embraced in Oil & Gas Permit No. 14233 under the present terms of said permit; that the owners of said permit desire to develop said area, and that the same can not be developed because of the law withdrawing river beds from oil and gas permit availability, and the fact that such development may contribute substantially to the wealth of the State by preventing drainage of this area into private wells now drilling on adjoining lands, and in justice to the owners of said permit, creates an emergency and an imperative public necessity exists that the constitutional rule requiring bills to be read on three several days in each House be suspended, and that this be placed upon its third reading and final passage, and take effect from and after its passage, and it is so enacted.

TWENTY-NINTH DAY.

Senate Chamber,
Austin, Texas,
February 23, 1931.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.

Absent—Excused.

Woodward.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Williamson.

Petitions and Memorials.

(See appendix)

Committee Reports

(See appendix)

Bills and Resolutions.

By Senator Berkeley:

S. B. No. 430, A bill to be entitled "An Act to validate the organization and creation of all school districts, including Common School Districts, Independent School Districts, Consolidated Common School Districts, Consolidated Independent School Districts, County Line School Districts Consolidated Line School Districts, and Rural High School Districts, whether created by General or Special law or County Boards of Trustees, validating the acts of said County Boards of Trustees and Boards of such Districts; validating all proceedings and acts of said Boards of Trustees, heretofore taken by such Boards of Trustees; validating all bonds authorized and sold and now outstanding of said Districts; validating all tax levies made in behalf of said Districts; and declaring an emergency."

Read and referred to the Committee on Educational Affairs.

By Senator Hardin:

S. B. No. 431, A bill to be entitled "An Act amending Section 29, Art. 199, Title 8 of the Revised Civil

Statutes of 1925, providing for the changing and fixing the times of holding the Courts in the 29th Judicial District of Texas, and validating and continuing processes, and writs, bonds, recognizances, and jurors heretofore selected etc., returnable to the terms of court, as they now exist, and continuing in session the District Court which may now be in session until its term expires by law, and declaring an emergency."

Read and referred to the Committee on Judicial Districts.

By Senator Martin:

S. B. No. 432, A bill to be entitled "An Act to amend Chapter 19-A, Title 49 of the Revised Civil Statutes of the State of Texas, by adding thereto a new article to be known as Article 2922-M, authorizing the Boards of Trustees of Rural High School Districts of the State of Texas to issue refunding bonds for the purpose of refunding outstanding bonded indebtedness of said districts, and authorizing the Boards of Trustees to pass all appropriate orders to carry out said refunding; and providing no election to be necessary to authorize the issuance of said bonds; and to levy and collect ad valorem taxes in payment thereof; and further, providing for the exchange of bonds of said districts held by the permanent school fund of the State for the refunding bonds of the same district; and declaring an emergency."

Read and referred to the Committee on State Affairs.

By Senator Berkeley:

S. B. No. 433, A bill to be entitled "An Act providing for the preservation of, and preventing the destruction, mutilation and removal of, certain native plants, prehistoric bones and relics, and archaeological matters; providing the manner in which the same may be removed, mutilated or destroyed; prescribing offenses, fines, penalties and punishment; and declaring an emergency."

Read and referred to the Committee on Agricultural Affairs.

By Senator Poage:

S. B. No. 434, A bill to be entitled "An Act to require all dealers in explosives to keep and maintain a record of all sales of explosives, and to provide penalties for failure to do so."

Read and referred to the Committee on Criminal Jurisprudence.

By Senators Neal and Hardin:

S. B. No. 435, A bill to be entitled "An Act authorizing school trustees to issue interest bearing warrants in payment of salaries of employees for the year 1930-1931; specifying the rate of interest at eight per cent; limiting the amount of warrants to be issued; giving such warrants preference over warrants issued for purposes other than payment of salaries; and declaring an emergency."

Read and referred to the Committee on Educational Affairs.

Senator Excused.

On motion of Senator Moore, Senator Woodward was excused for the day on account of important business.

Motion to Re-Commit.

Senator Holbrook moved to re-commit S. B. No. 427 to the Committee on State Affairs. The motion prevailed.

Messages From the House.

The Chair recognized the Door-keeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives,
Austin, Texas, Feb. 23, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 399, A bill to be entitled "An Act making certain appropriations out of the general revenues of the State of Texas for the several institutions and departments of State Government as named herein, for the balance of the fiscal year ending August 31, 1931, and declaring an emergency."

H. B. No. 564, A bill to be entitled "An Act creating and enlarging Mullin Independent School District in Mills County, Texas; defining its boundary lines, including the Mullin Independent School District as created by an Act of the First Called Session of the Thirty-ninth Legislature, and the Blanket Springs Common School District No. 10, in Mills County, Texas, contiguous thereto,

and validating an election held on the 28th day of June, 1930, in both of said districts, for the purpose of enabling the legally qualified voters in each of the said districts to determine whether or not the said two districts should be consolidated for public free school purposes and be known as the Mullin Independent School District, and declaring an emergency, etc."

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, Feb. 23, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolutions:

S. C. R. No. 16 (as amended), Endorsing a move sponsored by the Daughters of the American Revolution in Texas to erect a monument on the campus of the University of Texas to George Washington.

H. C. R. No. 28, Memorializing Congress relative to trade relations with China and causes and remedy for depressed conditions of commerce.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, Feb. 23, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has reconsidered the vote by which the conference report on H. B. No. 111 was adopted and has requested the further consideration of the differences between the two Houses by the conference committees from the House and Senate heretofore appointed.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, Feb. 23, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

H. C. R. No. 29, Directing the

Board of Control to investigate the feasibility of making a contract with the State Prison Board relative to the Board doing a portion or all of the State's printing at the State Prison.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Simple Resolution No. 54.

Senator Poage sent up the following resolution:

Whereas, The department of State Government in pursuance to the statutory requirement that they make yearly or biennial reports of their receipts and expenditures to the Governor, heretofore at various times, cause such reports to be printed in pamphlet form that same might be available for examination by the members of the Legislature and the public in general, and

Whereas, Since this Legislature has convened, the members thereof have been furnished with numerous reports from various departments of State Government, the first of which reports were merely plain, small booklets containing the information required in the statutory report to the Governor; but as time went on these reports became more and more elaborate and expensive, containing much matter of general interest and only remotely related to the purpose of the statutory reports; several of these latter reports were printed on glazed paper and attractively bound and were illustrated with colored pictures and cuts; the competition between departments to produce the most elaborate year book-report continued until on last Friday there was placed on the desks of the members of this Senate a 260 page volume called the Seventh Biennial Report of the State Highway Department of Texas; this volume contained a letter of transmittal which shows that it was submitted to Governor Dan Moody on December 8, 1930; in as much as the book contains more than 200 cuts and illustrations, including many colored pages of work and is prepared and printed after the approved fashion of the most sophisticated college annual, it is reasonable to suppose that it has taken the intervening ten weeks to print and bind this volume, and

Whereas, The publication of such expensive and elaborate year-books serves only an artistic purpose and takes no bumps out of the Texas roads nor does it pave any mud holes, but is an unwarranted use of the people's tax money for a purpose not contemplated or intended and necessarily results in a loss of confidence in the State Government on the part of the people whose very homes are at this time subject to sale under the strong hand of the law to pay the tax burden necessary to finance such artistic publications, and

Whereas, The Senate of Texas looks with disfavor upon this practice of diverting public funds to purposes of display and ostentation and views with misgiving the rivalry now displayed between the departments of this State in this matter of magnificence of year-books; and

Whereas, The people of this State who pay the bills have a right to know that their money will be used for the purposes for which it was collected, and that they will only be taxed in pursuance of the constitutional requirement that it be for the "economical support of the State Government;" and

Whereas, The publication of year book-reports in the form now being prepared by the Departments of this State, is neither a proper nor necessary function of Government, nor is the taxation of the people for such a purpose for the "economical support of the Government;" now, therefore, be it

Resolved by the Senate of Texas, That the Senate condemn all forms of rivalry and jealousy between the Departments of the State Government and the attendant practice of printing unnecessary and non-utilitarian reports in the form of year-books at public expense and request all of the departments of State Government to refrain from this practice in the future, and to confine their expenditures of tax money to the purpose for which such departments were established.

POAGE.

The resolution was read.

Senator Woodul moved to table the resolution. The motion prevailed by the following vote:

Yeas—21.

Beck.	Oneal.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Purl.
Gainer.	Rawlings.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hopkins.	Williamson.
Loy.	Woodruff.
Martin.	Woodul.
Moore.	

Nays—5.

DeBerry.	Poage.
Hornsby.	Small.
Parr.	

Absent.

Greer.	Pollard.
Neal.	Russek.

Absent—Excused.

Woodward.

S. C. R. No. 18.

Senator Greer sent up the following resolution:

S. C. R. No. 18, A concurrent resolution Providing for the acceptance of portrait of the late Major General Henry T. Allen, who commanded the 90th Division during the World War, and for the placing of same in the Senate Chamber.

Whereas, The 90 Division Association, which is composed of ex-service men who served in the 90th Division of the United States Army during the World War, have offered to the State of Texas a portrait of the late Major General Henry T. Allen, the Commanding General of the 90th Division, to be placed at an appropriate place in the State Capitol; and,

Whereas, Major General Allen served his Country with honor and distinction, and his service as Commander of the 90th Division, which trained at Camp Travis, Texas, and was formed of Texas and Oklahoma men who were inducted into the Army by the Universal Draft Act, reflected unusual honor upon the States of Texas and Oklahoma, as well as did his subsequent service in command of the VIII Corps and as Commander of the United States forces in Germany; and,

Whereas, The 90th Division, under his command, acquitted itself with

honor and distinction, both at Camp Travis, Texas, in its training, and Overseas in combat, and, because of its battle record in the St. Mihiel and Meuse Argonne offensives, its esprit de corps and general military excellence, it was selected by General Pershing as one of the eight divisions to compose America's part of the Army of Occupation in Germany; and,

Whereas, The 90th Division and its beloved Commanding General have, therefore, won the admiration and appreciation of the people of the United States of America, and especially the people of Texas and Oklahoma, who will always cherish the name and achievements of General Allen and the 90th Division; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That the portrait of Major General Henry T. Allen be accepted from the generous donors thereof, and that it be placed in an appropriate place in the Senate Chamber of the State of Texas by the Board of Control, at such place as may be acceptable to the President of the 90th Division Association; be it further

Resolved, That thanks be extended to the members of said association on behalf of the Senate, the House of Representatives, the Ex-Service Men of Texas, and the people of Texas as a whole, for this contribution to the State, and that the members of said association be commended for the truly patriotic motives which prompted and inspired such gift; and, be it further

Resolved, That a copy of this resolution be forwarded to the President of the 90th Division Association, and to the widow of General Allen.

GREER.

Read and adopted.

Motion to Concur.

On motion of Senator Stevenson, the Senate voted to concur in the House amendment to S. C. R. No. 16, Relating to a monument to George Washington on the campus of the University of Texas.

Special Order Set.

Senator Small moved to set S. B. No. 310 as special order for Friday

morning, immediately following the morning call.

Simple Resolution No. 55.

Senator Woodul sent up the following resolution:

Whereas, There is now pending in the Judiciary Committee of the United States Senate a bill to create an additional United States Judgeship for the Southern District of Texas, and,

Whereas, There is an urgent necessity that the said Judgeship be created to expedite the trial of litigation on the docket, which is now greatly congested in said district, and,

Whereas, The necessity for such additional Judgeship has been urged by the Circuit Appeals Judges and the Bar of the Southern District of Texas, now, therefore, be it,

Resolved, That the State Senate of Texas urge the Representatives of this State in the Upper House, Senators Morris Sheppard and Tom Connally that they exert every effort to secure the final passage of the bill at this session of Congress, and that a copy of this Resolution be sent to said Senators and to the Judiciary Committee of the United States Senate.

PATTON.

WOODUL.

Read and adopted.

Simple Resolution No. 56.

Senator Holbrook sent up the following resolution:

Whereas, It has just come to the attention of the Senate that Dr. Wm. Keihler of the Medical Department of the University of Texas passed away on yesterday at his home in Galveston and,

Whereas, Dr. Keihler was one of the most distinguished anatomists in the world;; and that nearly all of his valuable life was spent in treating that branch of science in the medical department of the University, and,

Whereas, In his passing, the University and the people of Texas have lost the services of a man whose abilities were recognized by scientists throughout the world, and that through his forty years of service he became known and loved in every hamlet in Texas; therefore, be it,

Resolved, By the Senate of Texas

that this simple tribute of affection be printed in the Journal and that a copy be sent to members of the deceased's family.

HOLBROOK.

Read and adopted unanimously by a rising vote.

Motion to Reconsider.

Senator Thomason moved to reconsider the vote by which the Free Conference Committee report on H. B. 111 was adopted and re-fer the bill to the Free Conference Committee.

The motion prevailed.

Senate Bill No. 237.

The Chair laid before the Senate as special order the following bill:

By Senator Cunningham:

S. B. No. 237, A bill to be entitled "An Act authorizing counties, actnig through their commissioners' courts, to purchase seed to be planted on farms in such counties by residents thereof, who are poor and unable to procure same and to purchase feed for the work stock of such residents, and prescribing the terms and conditions, rules and regulations, by which such seed and feed will be furnished said residents of the counties who are poor and unable to procure the same; authorizing counties to use their general funds for this purpose, where they have such funds, etc., and declaring an emergency."

By an affirmative vote of four-fifths of the Senate membership, consent was given Senator Cunningham to take up the bill.

The Committee Substitute was adopted.

The bill was read second time.

Senator Cunningham sent up the following amendments:

Amend C. S. S. B. No. 237, by striking out the sentence on lines 23, 24, and 25, of page 12, "All applications shall be on forms prescribed and furnished the counties operating hereunder by the Governor of Texas."

CUNNINGHAM.

Read and adopted.

Amend C. S. S. B. B. No. 237, by striking out the words "Attorney General" on line 30, page 13, and substituting therefor the words "County Attorney of such County for

the District Attorney in those counties having no county attorney."

CUNNINGHAM.

Read and adopted.

Amend C. S. S. B. No. 237, by adding after word "warrants" on page 16, line 12, the words "in an amount not exceeding \$50,000.00."

CUNNINGHAM.

Read and adopted.

Senator Purl sent up the following amendments:

Amend S. B. No. 237, by striking out the following "and shall receive for his services the ten per cent attorney fees, when collection is made."

PURL.

Read and adopted.

Amend S. B. No. 237, by striking out the following on line 13, 14, and 15:

"Provided said collector shall receive 1% of the amount collected to be accounted for as fees of office."

PURL.

Read and adopted.

Amend S. B. No. 237, add a new Section to read as follows:

Sec. 13A Provided however, no warrant issued under the provisions of this Act, shall be sold by the commissioners' court for less than 100 cents on the Dollar.

PURL.

Read and adopted.

Senator Purl moved to reconsider the vote by which Senator Cunningham's second amendment relating to county or district attorneys was adopted.

The motion was lost.

Senator Purl sent up the following amendment:

Amend S. B. No. 237, add a new Section.

Sec. 13-B. All Seed and feed shall be purchased from Texas citizens where price and freight rates are as low as other points.

PURL.

Read and adopted.

The bill was passed to engrossment.

On motion of Senator Cunningham the Constitutional Rule requiring bills to be read on three several days was suspended and S. B. No. 237, was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.

Absent—Excused.

Woodward.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.

Absent—Excused.

Woodward.

Motion to Set Special Order.

Senator Moore moved to set the whole calendar of bills for special order Tuesday morning immediately after the morning call.

The Chair held that this motion was not in order.

House Bills Referred.

H. B. No. 564, referred to Committee on Educational Affairs.

H. B. No. 399 referred to Committee on Finance.

Senate Bill No 394 Re-committed.

Senator Purl moved to re-commit S. B. No. 394 to the Committee on Highways and Motor Traffic.

The motion prevailed.

Senate Bill No. 132.

By an affirmative vote of four-fifths of the Senate membership, consent was given to take up the following bill:

By Senator Oneal:

S. B. No. 132, A bill to be entitled "An Act amending Article 7298, Revised Civil Statutes, 1925, as amended by Chapter 81 of the 41st Legislature; providing that no defendant in any tax suit shall have the right to plead as defense in any court or in any manner rely upon any statute of limitation against payment of any taxes due to the State any county, city, town, navigation district, drainage district, road district, levee district, reclamation district, irrigation district, etc., and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Oneal the Constitutional Rule requiring bills to be read on three several days was suspended and S. B. No. 132, was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.

Absent—Excused.

Woodward.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Hardin.
Berkeley.	Holbrook.
Cousins.	Hopkins.
Cunningham.	Hornsby.
DeBerry.	Loy.
Gainer.	Martin.
Greer.	Moore.

Neal.	Rawlings.
Oneal.	Russek.
Parr.	Small.
Parrish.	Stevenson.
Patton.	Thomason.
Poage.	Williamson.
Pollard.	Woodruff.
Purl.	Woodul.

Absent—Excused.

Woodward.

Adjournment.

On motion of Senator Williamson, the Senate, at 12:25 o'clock p. m., adjourned until tomorrow morning at 10 o'clock.

APPENDIX.**Committee on Engrossed Bills.**

Committee Room,

Austin, Texas, Feb. 21, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 365 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,

Austin, Texas, Feb. 21, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 364 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,

Austin, Texas, Feb. 21, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 400 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,

Austin, Texas, Feb. 21, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 21 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, Feb. 21, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 178 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, Feb. 21, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 126 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, Feb. 21, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 233 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, Feb. 21, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 229 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, Feb. 21, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 156 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, Feb. 20, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Insurance, to who was referred

S. B. No. 41, A bill to be entitled "An Act defining group life insurance; providing that no policy of group life insurance shall be issued or delivered unless and until a copy

of the form thereof has been filed with the Life Insurance Commissioner and formally approved by him, stipulating the provisions which must be contained in such policy; providing the manner of paying the proceeds of such insurance; providing the method of computing the reserves of such policies; prohibiting the issuance of any contract of life insurance covering a group except as provided by the provisions of the Act, and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with recommendation that it do pass and be not printed in lieu of advance printing.

STEVENSON, Chairman.

Committee Room,
Austin, Texas, Feb. 23, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Agricultural Affairs, to whom was referred

S. B. No. 137, A bill to be entitled "An Act providing for the regulations of gins, ginners, ginning; etc.

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do not pass.

CUNNINGHAM, Chairman.

Committee Room,
Austin, Texas, Feb. 23, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Agricultural Affairs, to whom was referred

S. B. No. 230, A bill to be entitled "An Act to amend Sections 1 and 2 of Chapter 304, page 678, et seq., of the Acts of the Regular Session of the Forty-first Legislature of the State of Texas, so as to include onion and spinach seed, etc."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass.

CUNNINGHAM, Chairman.

Committee Room,
Austin, Texas, Feb. 23, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Agricultural Affairs, to whom was referred

S. B. No. 114, A bill to be entitled "An Act requiring all public cotton classers to have a Federal cotton classers license, etc."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass.

CUNNINGHAM, Chairman.

Committee Room,
Austin, Texas, Feb. 23, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Agricultural Affairs, to whom was referred

S. B. No. 286, A bill to be entitled "An Act to establish and maintain an agricultural experiment station on the South Plains of Texas, in the region occupied by the counties of Cochran, Yoakum, Gaines, Andrews, Terry and portions of Lynn and Dawson, etc."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass.

CUNNINGHAM, Chairman.

Committee Room,
Austin, Texas, Feb. 23, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Agricultural Affairs, to whom was referred,

S. B. No. 81, A bill to be entitled "An Act to establish and maintain an Agricultural Experimental Station in the Panhandle region of Texas, etc."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass.

CUNNINGHAM, Chairman.

Committee Room,
Austin, Texas, Feb. 23, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Agricultural Affairs, to whom was referred,

S. B. No. 231, A bill to be entitled "An Act requiring the Bermuda onions shipped or sold in containers shall show thereon the name and address of the grower or shipper and the grade or classification, etc."

Have had the same under consideration, and I am instructed to re-

port it back to the Senate with the recommendation that it do pass.

CUNNINGHAM, Chairman.

Committee Room,
Austin, Texas, Feb. 20, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred,

S. B. No. 18, A bill to be entitled "An Act to exempt from taxation the property owned or used exclusively and reasonably necessary in conducting any Association engaged in promoting the religious, educational and physical development of boys and girls, young men or young women operating under a State or National organization of like character, and all endowment funds of such institutions, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back with recommendation that it do pass and be not printed in lieu of advance printing.

MOORE, Chairman.

Committee Room,
Austin, Texas Feb. 20, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred,

S. B. No. 195, A bill to be entitled "An Act to amend Article 5714 of the Revised Civil Statutes of the State of Texas of 1925 by adding thereto the following, to-wit: "Provided the specifications and tolerances issued by the Commissioner of Agriculture for weights and measuring devices in conformity with this article, or any specifications or tolerances issued to protect the public from fraud, shall have the same force and effect as if enacted into law; and provided further any person, firm, or corporation who shall fail or refuse to comply with said specifications and tolerances shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than ten dollars (\$10.00) nor more than two hundred (\$200.00)" and declaring an emergency."

Have had same under consideration, and I am instructed to report it back with recommendation that it do pass.

MOORE, Chairman.

Committee Room,
Austin, Texas, February 20, 1931.
Hon. Edgar E. Witt, President of the
Senate.

Sir: We, your Committee on State
Affairs, to whom was referred

S. B. No. 189, A bill to be entitled
"An Act to amend Section 1 and Sec-
tion 3 of Chapter 268 of the General
Laws of the 40th Legislature, Regu-
lar Session, as follows: Amend said
Section 1 to provide for a license for
non-residents of Texas, and aliens
who shall fish in the waters of the
State of Texas, and to provide for a
license for residents of the State of
Texas who shall fish with artificial
lures of any kind in the waters of
the State; and amend said Section
to provide penalties for the failure of
persons to procure a license to fish
where the same is required under
this Act.

Have had same under considera-
tion, and I am instructed to report
it back with recommendations that
it do pass.

MOORE, Chairman.

Committee Room,
Austin, Texas, February 20, 1931.
Hon. Edgar E. Witt, President of the
Senate.

Sir: We, your Committee on State
Affairs, to whom was referred

S. B. No. 214, A bill to be entitled
"An Act to provide for a perman-
ent record of all marriages and di-
vorses in the State of Texas; to pre-
scribe the duties of officials hand-
ling such records; to provide for a
fund to maintain the Bureau of Vital
Statistics in the State of Texas; to
prescribe and to provide for the man-
ner in which such fund shall be
handled; to prescribe such other re-
quirements as may be necessary to
secure a complete and permanent
and perpetual record of every birth,
death, marriage and divorce in the
State of Texas; making the violation
of any of the provisions of this Act
a misdemeanor, and prescribing a
punishment therefor; providing for
the general enforcement of the pro-
visions thereof; providing for the
collection and disposition of fees;
repealing all laws in conflict here-
with; making an appropriation and
declaring an emergency."

Have had same under considera-
tion, and I am instructed to report it
back with recommendations that it

do pass and be not printed in lieu of
advance printing.

MOORE, Chairman.

Committee Room,
Austin, Texas, February 20, 1931.
Hon. Edgar E. Witt, President of the
Senate.

Sir: We, your Committee on State
Affairs, to whom was referred

S. B. No. 22, A bill to be entitled
"An Act exempting from taxation
property owned by a church or by
a strictly religious society for the ex-
clusive use as a dwelling place
for the minister of such church or re-
ligious society which yields no reve-
nue whatever to such church or reli-
gious society, and property used ex-
clusively and reasonably necessary
in conducting any association en-
gaged in promoting the religious, ed-
ucational, and physical development
of boys, girls, young men or young
women, operating under a state or
national organization of like charac-
ter, and declaring an emergency."

Have had same under considera-
tion, and I am instructed to report it
back recommendations that it do pass
and be not printed in lieu of advance
printing.

MOORE, Chairman.

Committee Room,
Austin, Texas, February 20, 1931.
Hon. Edgar E. Witt, President of the
Senate.

Sir: We, your Committee on State
Affairs, to whom was referred

S. B. No. 25, A bill to be entitled
"An Act to amend Article 324 of the
Revised Civil Statutes of 1925 as
amended by H. B. No. 222, Chapter
254, Acts of the Regular Session of
the 41st Legislature, and declaring
an emergency."

Have had same under considera-
tion, and I am instructed to report it
back with recommendations that it
do pass with Committee Amendments
and be printed in the Journal.

MOORE, Chairman.

COMMITTEE AMENDMENT TO S. B. NO. 25.

Amend by adding to Section 1 the
following:

"Provided, however, that if such
assistant is not a licensed or prac-
ticing attorney, he shall not be per-
mitted to appear as counsel upon the
trial of any case nor be entitled to
practice law."

By Parr.

S. B. No. 25.

A BILL
To Be Entitled

An Act to amend Article 324 of the Revised Civil Statutes of 1925 as amended by H. B. No. 222, Chapter 254, Acts of the Regular Session of the 41st Legislature, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 324 of the Revised Civil Statutes of the State of Texas of 1925 as amended by Chapter 23 of the General Laws of the Regular Session of the 40th Legislature of Texas, as amended by H. B. No. 222, Chapter 254, Acts of the Regular Session of the 41st Legislature relating to the appointment of Assistant District Attorneys, be, and the same is hereby amended, so as to hereafter read as follows:

"Article 324. The District Attorney shall appoint one Assistant District Attorney in districts consisting of more than one county, in which there is situated a city of twenty-two thousand five hundred population, or over, according to the 1920 United States census, or in districts consisting of more than one county in which there is situated a city of twenty-eight thousand population or over according to any United States census which may hereafter be taken; provided the District Attorney shall furnish data to the District Judge of his district that he is in need of an Assistant and is himself unable to attend to all the duties required of him by law, and that it is necessary to the best interests of the State that an Assistant District Attorney be appointed. Each person so appointed shall be a qualified resident attorney of the district in which said appointment is made, and shall give bond and take the official oath and shall have authority to perform all the acts and duties of District Attorneys under the laws of this State. Said appointment shall be for such time as the District Attorney shall deem best in the enforcement of the law, not to be less than one month. Said Assistant District Attorney shall be paid by the Comptroller for the time of actual service rendered at the rate of twenty-five hundred dollars per annum. Said sum shall be paid monthly upon certificate of the District Attorney of said district that

said Assistant District Attorney has performed his duties and is entitled to pay. The District Attorney of any such district at any time he deems said Assistant unnecessary or finds that he is not attending to his duties as required by law, may remove said person from office by merely writing to said District Judge to that effect; provided however, that in any such judicial district consisting of more than one county in which there is situated a city of not less than 30,000 population and not more than 37,000 population according to the 1930 United States census, such assistant need not be a licensed or practicing lawyer."

Section 2. The fact that in some of the smaller districts where Assistant District Attorneys are authorized more efficient aid to the district attorney may be had by the employment of experienced persons who are not practicing attorneys and that competent attorneys cannot be employed for the compensation fixed in such small districts, creates an emergency and imperative public necessity which requires that the Constitutional Rule providing that all bills be read on three several days be suspended, and said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage.

Committee Room,

Austin, Texas, Feb. 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 45, A bill to be entitled "An Act to amend Article 3943, revised Civil Statutes of 1925, relating to the commission allowed a County Treasurer by providing that in all counties having a population of over 340,000 according to the last United States Census, the Treasurers thereof shall receive as their commissions a sum not exceeding thirty-six hundred dollars annually and shall be allowed an assistant at a salary not to exceed fifteen hundred dollars per annum, and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do not pass, but

that the following committee substitute:

A BILL

To Be Entitled

An Act to amend Article 3943, Revised Civil Statutes of Texas, 1925, as amended, relating to the commission allowed a county treasurer by providing that in all counties having a population of over 340,000, according to the last United States Census, the treasurers thereof shall receive as their commissions a sum not exceeding \$3600 annually, and shall be allowed an assistant at a salary not to exceed \$1500 per annum; and declaring an emergency.

Do pass in lieu thereof, and be printed in the Journal.

MOORE, Chairman.

C. S. S. B. No. 45. By Committee.

A BILL

To Be Entitled

An Act to amend Article 3943, Revised Civil Statutes of Texas, 1925, as amended, relating to the commission allowed a county treasurer by providing that in all counties having a population of over 340,000, according to the last United States Census, the treasurers thereof shall receive as their commissions a sum not exceeding \$3600 annually, and shall be allowed an assistant at a salary not to exceed \$1500 per annum; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 3943, Revised Civil Statutes of Texas of 1925, as amended, be amended so as to hereafter read as follows:

Article 2943. Treasurer—Commissions—Limited. The commissions allowed to any County Treasurer shall not exceed two thousand dollars annually; provided, that in all counties in which the assessed value of the property of such counties shall be one hundred million dollars or more as shown by the preceding assessment roll, the treasurers thereof shall receive as their commissions a sum not exceeding two thousand seven hundred dollars annually, provided that in all counties having a population of one hundred and fifty thousand or more and less than two hundred and ten thousand according to the last United States Census, the Treasurers there-

of shall receive as their commissions a sum not exceeding two thousand seven hundred dollars annually, and shall be allowed an assistant at a salary not to exceed one thousand dollars per annum; and provided that in all counties having a population of more than three hundred and forty thousand according to the last United States Census, the Treasurers thereof shall receive as their commissions a sum not exceeding three thousand six hundred dollars annually, and shall be allowed an assistant at a salary not to exceed one thousand five hundred dollars per annum.

Sec. 2. The fact that the last United States Census shows that since the 1920 United States Census there are counties in Texas whose population has increased to more than 340,000 population, and the fact that the duties and responsibilities of the County Treasurers of such counties have correspondingly increased with the increase in population and no provision has been made by law to adequately compensate the County Treasurers in such counties for the increased duties and responsibilities of their office or to allow the hiring of a competent and adequately paid assistant, makes it necessary to fix the compensation at an amount sufficient to attract and retain in public service experienced and qualified men and allow them an assistant, and the importance of this legislation creates an emergency and an imperative public necessity that the rule requiring bills to be read on three several days be suspended and said rule is hereby suspended and this Act shall take effect and be in force from and after its passage and it is so enacted.

MOORE, Chairman.

Committee Room,

Austin, Texas, February 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred.

S. B. No. 382, A bill to be entitled "An Act to amend Article 6228 of Title 109 of the Revised Civil Statutes of Texas of 1925, and declaring an emergency."

Have had same under consideration, and I am instructed to report it back with recommendations that it

do pass and be printed in the Journal.

MOORE, Chairman.

By Woodul. S. B. No. 382.

A BILL

To Be Entitled

An Act to amend Article 6228 of Title 109 of the Revised Civil Statutes of Texas of 1925, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 6228 of Title 109 of the Revised Civil Statutes of the State of Texas of 1925, be, and the same is, hereby amended so as to hereafter read as follows:

Article 6228. Mothers aid.—Any widow who is the mother of a child or children under sixteen years of age, and who is unable to support them and to maintain her home, may present to the commissioners court of the county wherein she has resided for the preceding one year a sworn petition for aid showing: First: Her name, time and place of her marriage, date of the death of her husband, or date of his confinement in the penitentiary or in an insane asylum, or date of his abandonment of her; names, sex, and the dates and places of their birth.

Second: Her residence and how long she has resided there.

Third: All the property belonging to her and to each of her children, including any future or contingent interest she or any of them may have.

Fourth: The efforts made by her to support her children.

Fifth: The name, relationship, and address of each of her husband's relatives that may be known.

By "widow," as used herein, means a mother who is widowed by death or divorce, or whose husband has abandoned her for more than the two preceding years, or whose husband is confined in the penitentiary or in a State hospital for the insane.

Copy of said petition and a notice of the time and place it will be presented to said court shall be served on or mailed to the county judge of said county at least five days before the time the court shall

be requested in said petition to hear the same. When service is complete said court shall examine under oath those who desire to be heard, and may subpoena witnesses; or the court may refer said matter to a commissioner to be appointed by it to hear said witnesses. Such Commissioner shall make a report to the court stating the facts as proven before him. If the court concludes that unless relief is granted the widow will be unable to properly support and educate her children, and that they may become a public charge, it may make an order directing a monthly payment to her, out of the county funds, for the support of such children, not more than twenty dollars for each such child. Such allowance shall be discontinued as to any such child who reaches the age of sixteen. The court shall have the right to refuse any such petition, and its action in so doing shall be final. The court shall see that any widow receiving such aid is properly caring for her children. When it is found that she is not properly caring for her children, or that she is an improper guardian for them, or when the court finds that she no longer needs such aid, it shall thereupon revoke at any time with or without notice any order made pursuant to this article.

Section 2. The fact that the present law as to mothers aid requires a residence of five years before hungry children can be fed or furnished clothing or opportunity for education by aid from the county, while no other State requires such long residence; that the Statute is not mandatory, but that this amendment will afford an opportunity to give aid when needed, and will enlarge the needy class of children to whom aid can legally be given, and will give to some widowed mothers the great privilege of rearing their children in their own home, creates an emergency, and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and said rule is hereby suspended, and that this Act take effect from and after its passage, and it is so enacted.